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**TITLE 412 INDIANA HEALTH FACILITIES
COUNCIL**

**Proposed Rule
LSA Document #05-35**

DIGEST

Amends 412 IAC 2-1-2.1, 412 IAC 2-1-10, and 412 IAC 2-1-14 to establish the effective and expiration dates for qualified medication aide (QMA) certificates, to amend the requirements for certification, recertification, or reinstatement of a QMA, and to amend the fees required for certification, recertification, or reinstatement. Repeals 412 IAC 2-1-13. Effective 30 days after filing with the secretary of state.

412 IAC 2-1-2.1	412 IAC 2-1-13
412 IAC 2-1-10	412 IAC 2-1-14

SECTION 1. 412 IAC 2-1-2.1 IS AMENDED TO READ AS FOLLOWS:

412 IAC 2-1-2.1 Employment of QMA and registry verification

Authority: IC 16-28-1-11

Affected: IC 16-28

Sec. 2.1. (a) ~~A facility must~~ **An individual shall** not ~~allow an individual to~~ work as a QMA unless that individual:

(1) has satisfactorily completed a state-approved QMA training and competency evaluation program; and ~~has been~~

(2) **is** certified by the Indiana state department of health.

An individual shall maintain QMA certification as required by section 10(c) of this rule in order to continue working as a QMA.

~~(b) A facility must not allow an individual to work as a QMA unless the individual has been recertified and completed at least six (6) hours of in-service training per calendar year beginning January 1 of the year after initial training and certification.~~

~~(c)~~ **(b)** Before allowing an individual to serve as a QMA, a facility must receive verification from the Indiana Certified Nurse Aide (CNA)/QMA registry that the individual has met certification requirements unless the individual can prove that he or she has:

(1) recently successfully completed a QMA training and competency evaluation program approved by the Indiana state department of health; and ~~has~~

(2) not yet been included in the registry.

Facilities must follow-up to ensure that such an individual actually is placed in the registry. (*Indiana Health Facilities Council; 412 IAC 2-1-2.1; filed Jan 24, 2003, 8:26 a.m.: 26 IR 1937; errata filed Feb 10, 2003, 3:50 p.m.: 26 IR 2375*)

SECTION 2. 412 IAC 2-1-10 IS AMENDED TO READ AS FOLLOWS:

412 IAC 2-1-10 Certification, recertification, reinstatement, and in-service education requirements

Authority: IC 16-28-1-11

Affected: IC 16-28

Sec. 10. (a) A QMA shall be ~~recertified~~ **certified** by the Indiana state department of health. ~~every year.~~

(b) ~~To be recertified, a QMA must obtain a minimum of six (6) hours per calendar year of in-service education in the area of medication administration, beginning January 1 of the year after~~ **For initial QMA training and certification as a QMA, the individual must do the following:**

- (1) Complete the requirements of this rule.
- (2) Submit to the testing entity an application approved by the Indiana state department of health.
- (3) Pass the written competency test in three (3) or fewer attempts with a passing score of at least eighty percent (80%).

(c) For recertification, at least thirty (30) days before the expiration of the certificate, the individual must do the following:

- (1) Obtain a minimum of six (6) hours per year of annual in-service education.
- (2) Submit the following to the Indiana state department of health:
 - (A) A qualified medication aide record of annual in-service education on the form approved by the Indiana state department of health.
 - (B) The appropriate fee.

The QMA is responsible for completing the in-service education requirements, maintaining documentation of in-service education, and submitting, or ensuring the submission of, the qualified medication aide record of annual in-service education form and appropriate fee.

(d) If the recertification fees or in-service education form, or both, required by subsection (c) is received by the Indiana state department of health more than ninety (90) days after the expiration of the QMA certification, the individual:

- (1) is removed from the QMA registry; and
- (2) must be reinstated under subsection (e) in order to work as a QMA.

(e) For reinstatement as a QMA following removal from the QMA registry, the individual must do the following:

- (1) Complete the requirements of this rule.
- (2) Submit to the testing entity an application approved by the Indiana state department of health.
- (3) Pass the written competency test in three (3) or fewer attempts with a passing score of at least eighty percent (80%).

~~(e)~~ (f) Annual in-service education shall include ~~but is not limited to, the following medication administration~~. If facility policy allows the QMA to perform such functions in the facility, **annual in-service education shall also include the following:**

- (1) Medication administration via G-tube/J-tube.
- (2) Hemocult testing.
- (3) Finger stick blood glucose testing (specific to the glucose meter used).

~~(d)~~ It is the QMA's responsibility to track said hours of in-service training and supply proof of completion of in-service training to the Indiana state department of health in conjunction with application for annual recertification.

(g) QMA certificates:

- (1) are effective upon issue; and
- (2) expire on March 31 of the next year.

The annual in-service education requirement period begins each year on March 1 and concludes on the last day of February of the next year. In the case of an initial certification, the annual in-service education requirement period begins on the QMA certification effective date and concludes on the last day of February of the next year. The in-service education requirement period therefore ends one (1) month before the expiration of the certification.

~~(e)~~ (h) The Indiana state department of health shall maintain a registry of QMAs who have current certification.

~~(f)~~ A QMA who does not meet the six (6) hour per year in-service requirement shall not be recertified. The QMA will be removed from the QMA registry and be required to reenter and satisfactorily complete a training program and pass the state approved competency evaluation test prior to again serving in the capacity of a QMA. *(Indiana Health Facilities Council; 412 IAC 2-1-10; filed Jan 24, 2003, 8:26 a.m.: 26 IR 1938)*

SECTION 3. 412 IAC 2-1-14 IS AMENDED TO READ AS FOLLOWS:

412 IAC 2-1-14 Fees

Authority: IC 16-28-1-11

Affected: IC 16-28

Sec. 14. (a) An annual fee of ten dollars (\$10), payable to the Indiana state department of health, is required for recertification of

a QMA.

(b) The fee required by subsection (a) shall be due ~~thirty (30) days prior to~~ **on or before** the expiration of the QMA's certification.

(c) If the recertification fee or in-service education form, or both, required by section 10(c) of this rule is received after the expiration date of the certificate, a ten dollar (\$10) late fee is assessed in addition to the recertification fee in subsection (a).
(Indiana Health Facilities Council; 412 IAC 2-1-14; filed Jan 24, 2003, 8:26 a.m.: 26 IR 1939)

SECTION 4. 412 IAC 2-1-13 IS REPEALED.

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on August 22, 2005 at 2:00 p.m., at the Indiana State Department of Health, 2 North Meridian Street, Rice Auditorium, Indianapolis, Indiana the Indiana Health Facilities Council will hold a public hearing on proposed amendments to establish the effective and expiration dates for qualified medication aide (QMA) certificates, to amend the requirements for certification, recertification, or reinstatement of a QMA, and to amend the fees required for certification, recertification, or reinstatement.

This rule adjusts the annual recertification date for QMAs and adds a late fee to offset increased costs arising from late recertification.

Copies of these rules are now on file at the Health Care Regulatory Services Commission, Indiana State Department of Health, 2 North Meridian Street and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

James A. Murphy
Chairman
Indiana Health Facilities Council